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ABSTRACT

The booklet is designed to help school administrators review and evaluate policies and procedures for facilitating communication with parents of handicapped children. Section 1 summarizes the due process provisions of P.L. 94-142 (the Education for All Handicapped Children Act) and discusses the role which interpersonal communication plays in meeting the information needs of parents and school. Written notice and consent requirements are set forth in terms of content and format. Included within a section on the preplacement evaluation are checklists regarding criteria for written notice and consent as well as a sample agenda for a preevaluation parent/school meeting. A final section describes the initial placement process in terms of the individualized education program (IEP). Information needs of parents and school at the time of the IEP/placement are outlined, criteria checklists are offered, and sample agenda outline for a program planning meeting is provided. (SW)

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FIRST STEPS TO PARENT NOTIFICATION

A Guide For School Administrators

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TO THE READER

The passage of the Education For All Handicapped Children Act (P.L. 94-142) and Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112, as amended) reaffirmed how important it is for parents to be informed about, involved in, and in agreement with the important educational decisions affecting their children.

As an SEA or LEA special education administrator, you have been concerned for several years with developing policies and procedures to facilitate parent communication and involvement. This booklet is designed to help you review and evaluate those policies and procedures. Specifically, it will help you:

- determine whether your written notice and consent practices provide the information parents require to be fully informed; and
- develop methods of interpersonal communication to facilitate parents' full involvement and participation.

Toward these ends, this booklet has been organized into three major sections: an introductory section, THE BASICS; and two sections focusing on the most complex stages in the special education planning process, THE PREPLACEMENT EVALUATION and THE INITIAL PLACEMENT.

THE BASICS summarizes the due process provisions of P.L. 94-142 and discusses the important role interpersonal communication plays in meeting the information needs of parents and school. This section also spells out the occasions when written notice and consent are required, and sets forth the general content and format requirements for written notice and consent.

The sections on THE PREPLACEMENT EVALUATION and THE INITIAL PLACEMENT discuss the significance of the activities surrounding these two events and list the information needs of parents and school at these times. You will also find (1) checklists of criteria for satisfying the written notice and consent requirements at each stage, and (2) sample agendas for structuring parent/school conferences to satisfy parents' information needs.

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THE BASICS

Due Process

The due process provisions of P.L. 94-142 require that parents be fully informed about and consent to important decisions related to the special education of their children. Moreover, they prescribe that parents be given the opportunity to participate in the decision-making process. And, in cases where parents disagree with what is proposed, the law guarantees procedures for resolving conflicts.

The intent of these provisions is that you and parents *together* will decide whether a child needs the help of a special education program and, if so, what the nature of that program will be.

Information Exchange

This joint decison-making process necessitates an open and complete exchange of information between you and parents. In general, the information that must be shared in this cooperative effort to plan the educational program of a handicapped child can be clustered into six main areas. Some of this information must be included within the written notice and request for consent. When such notices and requests for consent are carefully drafted, attractively formatted, and comprehensive in coverage, they can go a long way toward providing parents with the information they need to give their informed consent.

INFORMATION NEEDS OF PARENTS AND SCHOOL

- The Nature of the Child's Educational Problems and Needs
- The Nature of the Educational Action, Program or Service to be Provided
- The Special Education Planning Process
- Parent/Child Rights and Procedural Safeguards
- Logistics and Other Information to Facilitate Parent Involvement in the Decision-Making Process
- Resources Available Outside the School

DUE PROCESS PROVISIONS OF P.L. 94-142

Parents Must:		Schools Must:
Receive	WRITTEN NOTICE of (1) the intent or refusal to involve a child in the special education process through identification, evaluation, placement, or provision of special education services, and (2) any changes in the student's program or placement.	Provide
Give	WRITTEN CONSENT before a child is initially evaluated or placed for the first time in a special education program.	Obtain
Have the opportunity for	PARENT PARTICIPATION in the meeting at which their child's IEP is developed or reviewed.	Facilitate
Be informed in writing of	PARENT RIGHTS, including the right to examine their child's school records, request an independent evaluation, and initiate a due process hearing; and STUDENT RIGHTS, including confidentiality of records, fair and nondiscriminatory evaluation, and placement in the least restrictive environment.	Notify parents in writing of

Interpersonal Communication

However, written materials can never replace personal contact as a means of conveying concern, understanding, and support. Nor do they provide as great an opportunity to interpret technical information and to address specific questions related to a particular child and his or her needs. Personal contacts also allow you to respond immediately to questions and problem situations, and facilitate the active involvement of parents and the formation of a close rapport between you and parents.

For these reasons, most schools supplement written notice and consent with various forms of personal communication. One of the most commonly used and most effective is the parent/school conference. The use of such conferences when making initial special education decisions is an ideal way to share information about the proposed action and parents' rights, discuss questions and concerns, and in these ways ensure parents are prepared to make a responsible decision about their child's future education. Parent/school conferences should be structured so that parents are provided with all the necessary information and given full opportunity to participate and ask questions. Meeting agendas or checklists can be very helpful, especially if they indicate preparatory activities and provide space for noting parent concerns.

It is true that scheduling conferences, preparing agendas and checklists, and taking other active measures to help parents exercise their rights and responsibilities may be demanding and time-consuming. In the long run, however, most schools find that the benefits of informed and active parent involvement far outweigh the costs. For example, schools gain access to the unique practical and personal information that parents have about their children. Problems can be identified and resolved before they reach the crisis stage. And, most important, when those persons responsible for a child's formal education and those overseeing the child's general development work together as a team, the individual special needs of the child are more likely to be met.

For these and other reasons, many schools provide written notice and consent as part of an overall effort to improve communication and establish cooperation.

DO YOU PROVIDE WRITTEN NOTICE THAT MEETS ALL THE CONTENT AND FORMAT REQUIREMENTS?

The due process provisions of P.L. 94-142 require written notice whenever the school proposes to initiate or change, or refuses to initiate or change, a handicapped student's identification, evaluation, placement, or program. The regulations further specify what content the written notice must contain, and establish requirements regarding how the notice must be formatted and delivered.

Use the following list to determine whether your notices satisfy the general content and format requirements.

GENERAL NOTICE REQUIREMENTS

Content

The notice must contain:

- A description of the proposed or refused action.
- An explanation for the proposed or refused action.
- A description of any options that were considered and the reasons why those options were rejected.
- A description of each evaluation procedure, test, record or report used as a basis for the proposed or refused action.
- A full explanation of all the procedural safeguards available to parents and children. These are:
  - opportunity to examine records
  - independent educational evaluation
  - prior notice of evaluation and reevaluation
  - written consent to preplacement evaluation
  - prior notice of program/placement change
  - written consent to initial placement
  - impartial due process hearing and appeal
  - fair and nondiscriminatory evaluation
  - placement in the least restrictive environment
  - confidentiality of records.

Format

The notice must be:

- Written in language understandable to the general public.
- Provided in parents' native language or other mode of communication used by parents.

DO YOU REQUEST CONSENT IN A WAY THAT MEETS ALL THE CONTENT AND FORMAT REQUIREMENTS?

Written consent is required prior to the preplacement evaluation, initial placement, and release of records. Like the written notice, the written request for consent must incorporate certain basic information and follow certain format guidelines.

Use the following list to determine whether your requests for consent are consistent with the content and format requirements.

GENERAL CONSENT REQUIREMENTS

Content

The request for consent must contain:

- A statement that parents have been fully informed of all information relevant to the proposed action.
- A statement that parents understand and agree in writing to the proposed action.
- A description of the activity to which parents are consenting.
- A list of records (if any) to be released and to whom.
- A statement that parents understand granting consent is voluntary.
- A statement that parents understand consent may be revoked at any time.

Format

The request for consent must:

- Be written in parents' native language or mode of communication.
- Provide a place where parents can indicate they do not consent.
- Provide a place for a parent's signature.
- Provide a place for the date.

THE PREPLACEMENT EVALUATION

The initial evaluation is preceded by a series of events through which parents are informed that their child has learning problems serious enough to warrant a comprehensive, individual educational evaluation—one outcome of which might be designation as a handicapped student and placement in a special education program. These events clearly have great significance for a handicapped child, since they lay the groundwork for identifying and meeting his or her special educational needs. They also have special meaning for the child's parents and for their relationship with the school.

In many cases, the letter, phone call, or meeting in which parents are first informed of the school's proposal to evaluate their child may be the parents' first formal contact with the special education process. Even if parents have been aware of their child's problems and have discussed these with the school previously, the actual formal notice may still cause concern:

To schools, the evaluation may be a routine matter; to parents, it is not at all routine.

From this point on, parents will be receiving information of many kinds: about tests their child will be given and the results of those tests; about their child's particular disability and its consequences for the child's future; about their legal rights and those of their child. For some parents, this information may at times seem technical or difficult to understand. Yet parents must understand this information if they are to decide what is best for their child:

The initial evaluation stage is critical for preparing parents to assimilate new information and make informed decisions.

Finally, because they occur so early in the special education planning process, the activities surrounding the initial evaluation set the tone for future interactions between parents and school. They offer school personnel the opportunity to initiate a two-way, cooperative relationship with parents, and to create an atmosphere in which facts and feelings can be explored openly and decisions made jointly:

The way in which notice and consent are provided at this time can lay the groundwork for a mutually satisfying and productive relationship between parents and school in the future.

How you approach and respond to parents at this point will tell parents whether or not you are interested in their child, sympathetic to their concerns, and open to their ideas and opinions. Providing notice and requesting consent in a complete and considerate manner can prevent many later hours of frustration, mistrust and antagonism. It can determine whether parents see you and themselves as allies – or adversaries.

IS THERE A COMPLETE EXCHANGE OF INFORMATION BETWEEN YOU AND PARENTS REGARDING THE PREPLACEMENT EVALUATION?

In making the decision as to whether or not a particular child should undergo a comprehensive evaluation, both you and parents have information to contribute and information to collect. As outlined in the two checklists that follow, some of this information must be provided in the written notice and request for consent. The sample agenda that concludes this section illustrates how additional important information can be covered at a preplacement evaluation parent/school conference.

Use the following list to make sure you have procedures for informing parents fully about the preplacement evaluation and for allowing them to share their knowledge and views with you.

INFORMATION NEEDS OF PARENTS AND SCHOOL AT THE TIME OF THE PREPLACEMENT EVALUATION

The Nature of the Child's Educational Problems and Needs

Information provided by school

- Who referred the child
- Tests, records, reports, problems, or other circumstances that led to the referral
- Educational actions already undertaken to assist the child
- Other educational actions that might still be undertaken
- What will happen if parental consent to evaluation is withheld
- School's perception of child's problem

Information provided by parents

- Child's educational, medical, and developmental history
- Child's behavior and habits at home
- Child's neighborhood and other social relationships
- Child's general attitude, personal interests, and non-academic skills
- Parents' and child's perceptions of the problem

The Nature of the Educational Action, Program or Service Proposed

Information provided by school

- The tests, records, reports, and other procedures that will be used to evaluate the child, and the purpose of each
- Date, time, location, length, and name of the supervisor of the evaluation session(s)
- How parents can prepare the child for the evaluation

Information provided by parents

- How the child may behave/react during an individual comprehensive evaluation
- Tests or other procedures that parents would like added to or dropped from the evaluation

The Special Education Planning Process

Information provided by school

- What happens to the child before and after the evaluation
- When and how parents will find out about the results of the evaluation
- What programs and services are available for children with special needs

Information provided by parents

- How parents would like to be involved in the planning process
- Activities that might help parents perform their desired role
- Knowledge about and attitudes toward special education

Parent/Child Rights and Procedural Safeguards

Information provided by school

- Parents' right to withhold consent to the evaluation or withdraw it later
- Parents' right to request an independent educational evaluation

- Parents' right to request a due process hearing
- Parents' right to review the child's records
- The child's right to a fair and nondiscriminatory evaluation
- The child's right to placement in the least restrictive environment
- Confidentiality of the child's records

Information provided by parents

- Whether parents grant or withhold consent to the evaluation and why

Logistics and Other Information to Facilitate Parent Involvement in the Decision-Making Process

Information provided by school

- Name and phone number of a school contact person
- Time and location of meeting(s) to discuss the need for evaluation

Information provided by parents

- What assistance parents need in order to participate in the decision-making process

Resources Available Outside the School

Information provided by school

- Names of other parents who are willing to talk to parents of students with similar needs
- Names of parent advocacy and support groups
- Sources of an independent evaluation

Information provided by parents

- Names of individuals and clinics that have previously conducted evaluations or other diagnostic procedures on their child.

ARE YOU PROVIDING WRITTEN NOTICE OF THE PREPLACEMENT EVALUATION THAT MEETS ALL THE LEGAL REQUIREMENTS?

The following checklist includes content and format criteria required by law (★ means mandated by P.L. 94-142), as well as criteria implicit in professionally responsible practice.

Use this checklist to evaluate the notice of preplacement evaluation you are currently providing and, if necessary, to develop a new or revised method of providing notice. This checklist can also serve as the basis for developing checklists of criteria for three other required notices: notice of intent not to evaluate; notice of reevaluation; and notice of intent not to reevaluate.

CHECKLIST OF CRITERIA FOR WRITTEN NOTICE OF PREPLACEMENT EVALUATION

Content

★ 1. Does the notice describe the proposed activity as a full and individual evaluation of the child's educational needs? ☐

★ 2. Does the notice indicate that the evaluation will determine whether or not the child is eligible for special education services? ☐

★ 3. Does the notice indicate that the evaluation materials and procedures are fair and nondiscriminatory? ☐

★ 4. Is there a description of the procedures, tests, records or reports to be used in the evaluation? ☐

★ 5. Is there a description of the rationale for the evaluation? ☐

★ 6. Is there a description of what options to an evaluation were considered and why those options were rejected? ☐

★ 7. Is there a description of each evaluation procedure, test, record, or report used as a basis for the decision to evaluate? ☐

★ 8. Is there a full explanation of all the procedural safeguards available to parents and students? These are:

a. opportunity to examine records ☐

b. independent educational evaluation ☐

c. prior notice of evaluation ☐

d. written consent to preplacement evaluation ☐

e. prior notice of program/placement and program/placement change ☐

f. written consent to initial placement ☐

g. impartial due process hearing and appeal ☐

h. fair and nondiscriminatory evaluation ☐

i. placement in the least restrictive environment ☐

j. confidentiality of records. ☐

9. Is there an explanation of the procedures to be followed for parents to access their child's records? ☐

10. Is there an explanation of the circumstances under which an independent evaluation will be at public expense? ☐

11. Is there a description of the special education process, including (a) the sequence of events that will follow the granting of consent to the evaluation and (b) how and when parents will be informed of the results of the evaluation? ☐

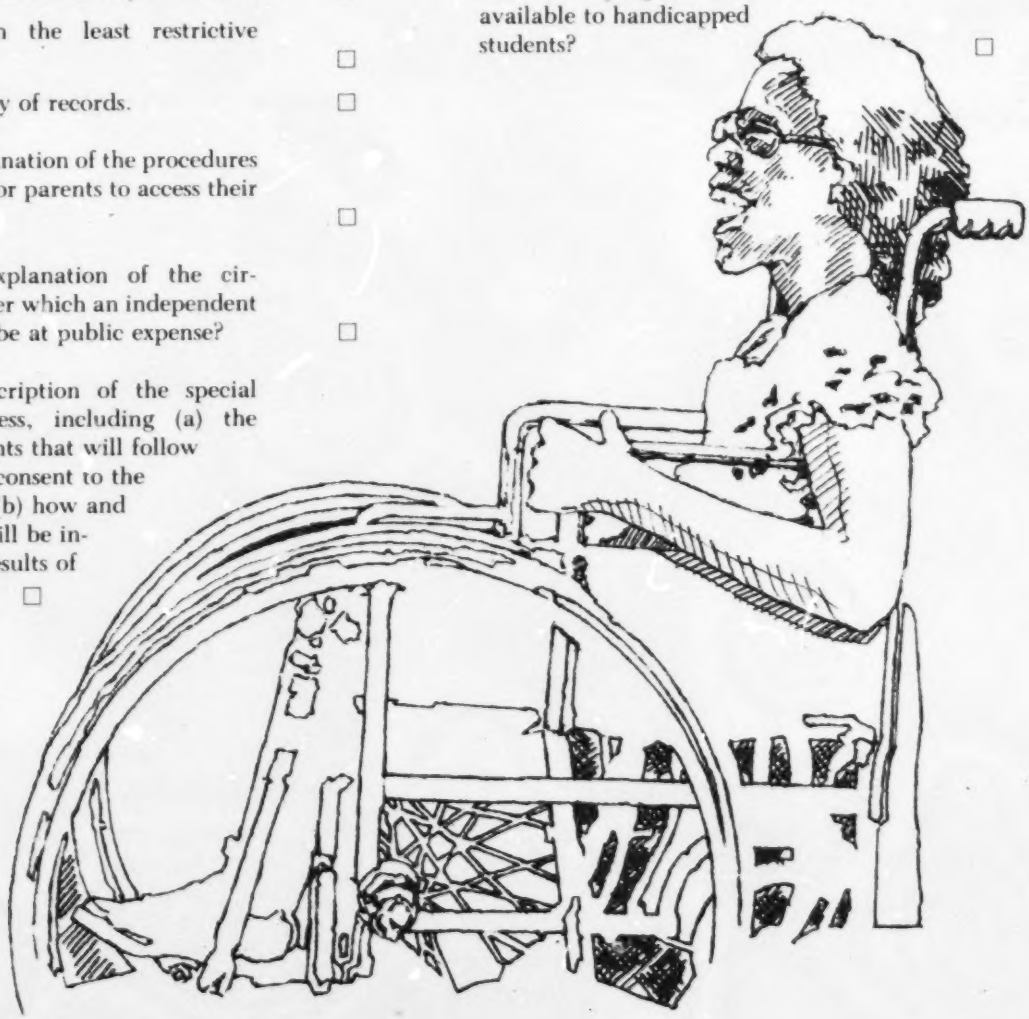
12. Is there an explanation of the reasons for and importance of parental involvement in the evaluation process? ☐

13. Is there a description of the evaluation date, time, place, length and persons involved? ☐

14. Is a school contact person named or another method such as a parent/school conference suggested for parents to obtain further information? ☐

15. Are there suggestions for preparing the child for the evaluation? ☐

16. Is there a description of the special education program and the services available to handicapped students? ☐



Format

★ 17. Is the notice written in language understandable to the general public? ☐

★ 18. Is the notice provided in the parents' native language or other mode of communication used by parents? ☐

19. Does the notice indicate the school's concern for the child? ☐

20. Does the notice convey a tone that encourages parents' involvement? ☐

21. Does the notice establish that it is an important educational document that should be retained for future reference? ☐

22. Is the notice attractive and easy to read? ☐

23. Does the notice have a personal signature or other personal touch? ☐

ARE YOU REQUESTING WRITTEN PARENTAL CONSENT TO THE PREPLACEMENT EVALUATION IN ACCORDANCE WITH THE LAW?

The following checklist includes content and format criteria required by law (★ means mandated by P.L. 94-142; † means suggested by sound legal practice), as well as criteria implicit in professionally responsible practice.

Use this checklist to evaluate the method you are currently using to request consent to the preplacement evaluation and, if necessary, to develop a new or revised method.

CHECKLIST OF CRITERIA FOR WRITTEN CONSENT TO PREPLACEMENT EVALUATION

Content

★ 1. Does the request for consent indicate that parents have been fully informed of all information relevant to a preplacement evaluation? ☐

★ 2. Does the request for consent indicate that parents understand and agree in writing to the evaluation? ☐

★ 3. Does the request for consent describe the activity to which parents are consenting as a full and individual evaluation of the child's educational needs? ☐

★ 4. Does the request for consent indicate that parents understand the evaluation will determine whether or not their child is eligible for special education services? ☐

★ 5. Does the request for consent indicate that parents understand and agree to the specific (if known) or general types of procedures, tests, records or reports to be used in the evaluation? ☐

★ 6. Does the request for consent list the records (if any) to be released and to whom? ☐

★ 7. Does the request for consent indicate that parents understand granting consent is voluntary? ☐

★ 8. Does the request for consent indicate that consent may be revoked at any time? ☐

Format

★ 9. Is the request for consent written in parents' native language or mode of communication? ☐

★ 10. Is there a place on the request for consent where parents can indicate they do not consent? ☐

† 11. Is there a place for parents' signature on the request for consent? ☐

† 12. Is the request for consent dated? ☐

13. Is there a system by which parents can retain a copy of the request for consent? ☐

14. Is the request for consent written in language understandable to the general public? ☐

15. Does the request for consent provide a means for parents to indicate they wish further information or an individual conference? ☐

DO YOUR PREEVALUATION MEETINGS PROVIDE AN OPPORTUNITY TO FULLY INFORM PARENTS ABOUT THE PREPLACEMENT EVALUATION?

One way to ensure that all important information items are covered at a parent/school conference is to develop an agenda or checklist for use by the person conducting the meeting. Below is an outline of topics that might be covered at a parent/school conference to discuss the evaluation.

Use this outline to prepare a detailed agenda or checklist for conducting preevaluation conferences in your school or district. Make sure that opportunities exist to fulfill all the information needs of both parents and school.

AGENDA FOR A PREEVALUATION MEETING

1. Welcome
   a. Appreciation for parents' attendance
   b. Introduction of staff

2. Orientation
   a. Meeting agenda
   b. Solicitation of parents' questions and comments

3. Rationale for Evaluation
   a. General purpose and benefits
   b. Specific reasons for referral, including child's level of performance and previous attempts to help student

4. Possible Outcomes
   a. Eligibility
   b. Special education programs and services available

5. Description of Evaluation
   a. Various tests and procedures involved
   b. Examples of instruments and their purpose
   c. Logistics, including who will administer the evaluation, how long it will take, and how parents will learn about the results

6. Parents' Role and Rights
   a. Importance of parents' role
   b. Specific suggestions and logistics for parental involvement
   c. Parents' rights

7. Conclusion
   a. Review of meeting
   b. Presentation of request for consent
   c. Name of school contact person who can answer further questions
   d. Date and location of evaluation (if known) or how parents will be notified of time and place

THE INITIAL PLACEMENT

The events preceding a child's initial placement in a special education program are significant for their extensive and detailed exchanges of information, multiple parent/school interactions, and critical decision-making points. The major activities involved are the discussion of evaluation results, determination of eligibility, development of an IEP, and selection of an appropriate placement.

Interpreting test results to parents in a clear and meaningful way can be a challenge. However, explaining fully the purpose of the test and the significance of the test scores is important to prevent parental misconceptions about what a test does and does not measure, what it reveals about the child, and how reliable and accurate it is:

By putting testing into perspective, school staff provide parents with information they need to help decide on an appropriate educational program and placement for their child.

An important outcome of the evaluation process is the determination of the child's eligibility for special education and, related to that, the child's handicap designation. Parents need to understand what their child's handicap designation is, what it means, and how it was determined. If parents express a preference for a different classification, the school must be prepared to explain how the test results support the classification proposed by the school:

Because the issue of classification may be a controversial one, parents should be fully informed about their child's handicap designation and its implications.

The IEP is the most important document related to a handicapped child's education because it defines the educational programs and services that are needed to assist that student and enhance his/her behavioral and developmental growth. Dialogue between parents and school staff is important during the development of the IEP because this is an area in which parents may have much to contribute. If parents and school staff differ in their ideas about what kind of goals or services are best for the child, these differences must be resolved:

The importance of the IEP necessitates that parents and school reach a point of mutual agreement about the content of this document.

After the IEP is developed, a final decision regarding an appropriate placement can be made, based on the two broad principles of "appropriate" and "least restrictive." Deciding exactly what constitutes an "appropriate" and "least restrictive" placement for a particular student involves complex questions of judgment and calls for a full and open exchange of information between parents and school:

For these and other reasons, it is important that parents have an opportunity to learn all they can about the placement proposed for their child and become comfortable with it.

How smoothly this process proceeds will depend in part on what has happened earlier in the special education planning process. If parents have been prepared to understand and accept their child's needs, and if an open and cooperative relationship between parents and school has been established, then it will be easier for parents to make the final decision about their child's special placement.

IS THERE A COMPLETE EXCHANGE OF INFORMATION BETWEEN YOU AND PARENTS REGARDING THE INITIAL PLACEMENT?

As in the case of the preplacement evaluation, making decisions about a child's initial program and placement involves a two-way exchange of information. Some of this information must be supplied through written notice and consent, as the following two checklists indicate. Other information needs can be satisfied within the context of a program planning meeting, as the agenda concluding this section illustrates.

Use the following checklist to make sure you have procedures for fully informing parents about the IEP and initial placement and for assuring they have an opportunity to share their insights with you.

INFORMATION NEEDS OF PARENTS AND SCHOOL AT THE TIME OF THE IEP/PLACEMENT

The Nature of the Student's Educational Problems and Needs

Information provided by school

- Specific characteristics or behaviors measured by the evaluation
- How the various scores relate to each other
- How the child's test scores compare with those of other children in the same grade, and with his or her scores received from previous tests
- What the scores mean in terms of predicting educational progress and long-term potential
- What the results indicate are the child's educational strengths and weaknesses
- What the child's special education classification is, what it means, and how it was determined

Information provided by parents

- Observations made of the child at home that support or conflict with the evaluation results
- Additional information from medical, educational and other family records

The Nature of the Educational Action, Program or Service to be Provided

Information provided by school

- The purpose, content and use of the IEP document
- Recommended goals and objectives for the child's IEP
- Support services that will be needed to facilitate progress in each of the objectives
- Who will be responsible for each service; when, where and for how long it will be provided
- How the placement for the child was determined
- How the proposed placement meets the child's particular educational needs
- How the proposed placement is appropriate and in the least restrictive environment for that child
- What practical considerations or problems the proposed placement presents

Information provided by parents

- Feelings about the IEP goals, objectives, and services suggested by the school
- Additional goals, objectives, and services for the child's IEP
- Preferences regarding the appropriate placement for the child
- Educational approaches and activities the parents have tried successfully with the child at home

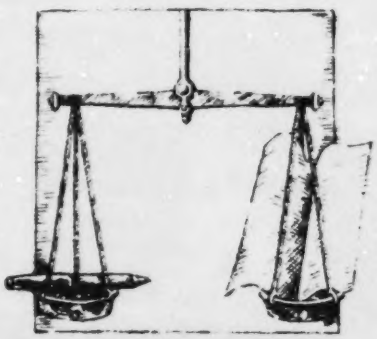
The Special Education Planning Process

Information provided by school

- When the IEP will be reviewed
- What different placements the school system offers for handicapped students
- When the child will be reevaluated

Information provided by parents

- What future role parents wish to play in the special education decision-making process



Parent/Child Rights and Procedural Safeguards

Information provided by school

- Parents' right to an independent educational evaluation
- Parents' right to examine all records and evaluation results used to determine the child's placement
- Parents' right to a due process hearing
- Parents' right to withhold consent to the placement, or to revoke it later
- The child's right to receive a free, appropriate public education in the least restrictive environment
- The child's right to have all school programs and facilities accessible to him or her
- The child's right to have records kept confidential

Information provided by parents

- Whether they want a copy of the IEP document
- Whether they grant or withhold consent to the placement, and why

Logistics and Other Information to Facilitate Parent Involvement in the Decision-Making Process

Information provided by school

- Date, time, participants, and agenda of meeting(s) to discuss evaluation results, develop the IEP, and/or determine placement
- How parents can prepare for above meeting(s)
- How parents can arrange to visit the proposed placement(s)
- How parents can support or extend the school's program at home

Information provided by parents

- Assistance parents need to ensure their presence and participation at meetings

Resources Available Outside the School

Information provided by school

- Parents of other students in the proposed placement who are willing to discuss the placement
- Books, periodicals, and organizations concerned with the child's disability
- Names of psychological, parent advocacy, and other support groups available to the parents
- Recreational facilities available to the child

Information provided by parents

- Outside services and support the child is currently receiving
- Particular community services in which parents would like their child to participate

ARE YOU PROVIDING WRITTEN NOTICE OF INITIAL PLACEMENT THAT MEETS ALL THE LEGAL REQUIREMENTS?

The following checklist includes content and format criteria required by law (★ means mandated by P.L. 94-142), as well as criteria implicit in professionally responsible practice.

Use this checklist to evaluate the notice of initial placement you are currently providing and, if necessary, to develop a new or revised method of providing notice. This checklist can also be adapted to serve as the checklist of criteria for other required notices: notice of nonplacement; notice of change in IEP and/or placement; notice of termination of special education services.

CHECKLIST OF CRITERIA FOR WRITTEN NOTICE OF INITIAL PLACEMENT

Content

★ 1. Does the notice describe the proposed activity as placement in a designated special education program for handicapped children? ☐

★ 2. Does the notice indicate that the placement was selected from a continuum of alternative placements? ☐

★ 3. Does the notice indicate that the placement is based on the child's individualized education program? ☐

★ 4. Does the notice describe the placement as in the least restrictive environment? This means:

a. to the maximum extent appropriate with children who are not handicapped ☐

b. removal from the regular educational environment occurs only when the nature or severity of handicap is such that education in the regular class with the use of supplementary aids and services cannot be achieved satisfactorily ☐

c. as close as possible to the child's home. ☐

★ 5. Is there a description of the rationale for the placement? ☐

★ 6. Is there a description of any options to the proposed placement that were considered and the reasons why those options were rejected? ☐

★ 7. Is there a description of each evaluation procedure, test, record, or report used as a basis for the placement decision? ☐

★ 8. Is there a full explanation of all the procedural safeguards available to parents? These are:

a. opportunity to examine records ☐

b. independent educational evaluation ☐

c. prior notice of evaluation ☐

d. prior notice of program/placement and program/placement change ☐

e. written consent to initial placement ☐

f. impartial due process hearing and appeal ☐

g. fair and nondiscriminatory evaluation ☐

h. placement in the least restrictive environment ☐

i. confidentiality of records. ☐

9. Is there an explanation of the procedures to be followed for parents to access their child's records? ☐

10. Is there an explanation of the circumstances under which the independent evaluation will be at public expense? ☐

11. Is there an explanation of the special education process, including how parents will be informed of their child's progress and when the placement decision will be reviewed? ☐

12. Is there an explanation of the reasons for and importance of parental involvement in and support of the placement decision? ☐

13. Is there a description of when the placement will begin and the prerequisite entry procedures? ☐

14. Is there a special education teacher or other contact person named who can provide more information on the placement? ☐

15. Is there an opportunity provided for parents to arrange to visit the proposed placement? ☐

16. Is there a list of activities parents might undertake at home to assist the child in the proposed placement? ☐

Format

★ 17. Is the notice written in language understandable to the general public? ☐

★ 18. Is the notice provided in the parents' native language or other mode of communication used by parents? ☐

19. Does the notice indicate the school's concern for the child? ☐

20. Does the notice convey a tone that encourages parents' involvement? ☐

21. Does the notice establish that it is an important educational document that should be retained for future reference? ☐

22. Is the notice attractive and easy to read? ☐

23. Does the notice have a personal signature or other personal touch? ☐

ARE YOU REQUESTING WRITTEN PARENTAL CONSENT TO INITAL PLACEMENT IN COMPLIANCE WITH THE LAW?

The following checklist includes content and format criteria required by law (★ means required by P.L. 94-142; † means suggested by sound legal practice), as well as criteria implicit in professionally responsible practice.

Use this checklist to evaluate the method you are currently using to request parental consent to initial placement and, if necessary, to develop a new or revised method.

CHECKLIST OF CRITERIA FOR WRITTEN CONSENT TO INITIAL PLACEMENT

Content

★ 1. Does the request for consent indicate that parents have been fully informed of all information relevant to the initial placement? ☐

★ 2. Does the request for consent indicate that parents understand and agree in writing to the placement? ☐

★ 3. Does the request for consent describe the activity to which parents are consenting as placement in a program providing special education and related services to meet the unique needs of handicapped children? ☐

★ 4. Does the request for consent list the records (if any) to be released and to whom? ☐

★ 5. Does the request for consent indicate that parents understand granting consent is voluntary? ☐

★ 6. Does the request for consent indicate that consent may be revoked at any time? ☐

Format

★ 7. Is the request for consent written in parents' native language or other mode of communication? ☐

★ 8. Is there a place on the request for consent where parents can indicate they do not consent? ☐

† 9. Is there a place for parents' signature on the request for consent? ☐

† 10. Is the request for consent dated? ☐

11. Is there a system by which parents can retain a copy of the request for consent? ☐

12. Is the request for consent written in language understandable to the general public? ☐

13. Do the language and tone of the request for consent convey a message that the consent decision is important? ☐

14. Does the request for consent provide a means for parents to indicate they wish further information or an individual conference before they consent? ☐

DO YOUR PROGRAM PLANNING MEETINGS PROVIDE AN OPPORTUNITY TO FULLY INFORM AND INVOLVE PARENTS?

Here is an outline of topics that might be covered at the meeting(s) to discuss the evaluation results, develop an IEP, and determine the initial placement.

Use this outline to prepare a detailed agenda or checklist for conducting program planning meetings in your school or district. Make sure that opportunities are created to satisfy all the information needs of parents as well as you and your staff.

AGENDA OUTLINE FOR A PROGRAM PLANNING MEETING

1. Welcome
   a. Appreciation for parents' attendance
   b. Introduction of staff

2. Orientation
   a. Meeting agenda
   b. Solicitation of parents' questions and comments

3. Evaluation Results
   a. Summary and interpretation of results
   b. Parent reactions
   c. Confidentiality of child's school records
   d. Student's eligibility for special education
   e. Discussion of handicapping condition

4. IEP Development
   a. Purpose and general content of IEP
   b. Current levels of performance
   c. Goals and objectives
   d. Criteria for determining whether goals and objectives are met
   e. Special education and related services to be provided
   f. Starting date and duration of services

5. Placement
   a. Relationship of IEP to placement
   b. Placement proposed by school
   c. Alternative placements considered but rejected
   d. LRE and mainstreaming
   e. Time in the regular class
   f. Invitation to parents to visit placement
   g. Reminder of parents' rights
   h. Parents' responses to placement
   i. Presentation of request for consent
   j. If parents consent:
      - Practical details on entering placement
      - Ways to discuss placement with student
      - Supporting activities parents can do with child at home
   k. If parents are reluctant to grant consent:
      - Reasons for their reservations
      - Possible compromises
      - Alternative placements that parents might visit

6. Conclusion
   a. Review of information discussed and action to be taken
   b. Invitation of additional questions
   c. Name of school contact person
   d. Tentative date for next contact

FOR FURTHER INFORMATION

A 150-page handbook that expands on the information contained in this booklet, including specific examples of ways to provide notice and consent and respond to parents' questions and concerns, and a slide/tape that follows one family through the special education planning process, are also available. To obtain copies of these materials, please contact:

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